

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Revocation of the)	
License to Conduct Gambling Activities of:)	NO. CR 2008-01651
)	
Maureen Pangelinan,)	FINDINGS, CONCLUSIONS,
Tacoma, Washington,)	DECISION, AND FINAL
)	ORDER IN DEFAULT
Licensee.)	

THE MATTER of the revocation of the license to conduct gambling activities of Maureen Pangelinan, having come before the Commission on April 9, 2009, the State being represented by Jerry Ackerman, Senior Counsel, Office of the Attorney General, the Commission makes the following Findings of Fact, Conclusions of Law, and issues the following Decision and Order:

FINDINGS OF FACT

I.

The Washington State Gambling Commission issued Maureen Pangelinan the following license: Number 68-19625, authorizing her to work as a Card Room Employee, formerly at All Star Lanes. This license expires on September 17, 2009, and was issued subject to the licensee's compliance with state gambling laws and regulations.

II.

On February 19, 2009, Assistant Director David Trujillo issued administrative charges to the licensee, by certified and regular mail. The licensee did not respond to the charges. By not responding to the charges, Maureen Pangelinan waived her right to a hearing on such charges and pursuant to RCW 34.05.440, this final order may be entered in default.

III.

1) On October 16, 2008, a Gambling Commission Special Agent (agent) received information from Tom Myers, the owner of All Star Lanes and Casino, reporting that the licensee, a card room employee at All Star Lanes, had stolen money from the purse of a fellow employee, at the premises on October 5, 2008.

2) On October 16, 2008, an agent went to All Star Lanes and collected surveillance tapes and documents, which show the licensee's activities. The surveillance tapes illustrate the following:

- At 20:41:48 on October 5, 2008, Ms. Pangelinan opened another employee's locker in the break room. She removed a purse from the locker, opened it, took something out of the purse, and put the purse back. She exited the break room at 20:42:02.
- At approximately 21:00, All Star Lanes card room employee Christy Schumacher reported to security that money had been stolen from her purse, which was in a locker in the employee break room.

- Immediately thereafter, security and surveillance officer's reviewed the surveillance recordings and reported the incident to Kitsap County Police.
- Kitsap County Sheriff Deputies questioned the licensee, who admitted that she had stolen the money from Ms. Schumacher.

3) The licensee violated RCW 9.46.190 and is not qualified for a license under RCW 9.46.153(1). Therefore, grounds exist to revoke Maureen Pangelian's license under RCW 9.46.075(1), (8), and (10) and WAC 230-03-085(1), and (8).

RCW 9.46.075 Denial, suspension, or revocation of license

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein,

The following subsections apply:

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

(8) Fails to prove, by clear and convincing evidence, that he, she or it is qualified in accordance with the provisions of this chapter.

(10) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain.

WAC 230-03-085 Denying, suspending, or revoking an application, license

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization,

The following subsections apply:

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

RCW 9.46.190 Violations relating to fraud or deceit

Any person, association, or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation,

The following subsections apply:

(1) Employ any device, scheme, or artifice to defraud; or

(2) Make any untrue statement of a material fact, or omit to state a material fact necessary in order to make the statement made not misleading, in the light of the circumstances under which said statement is made; or

(3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person;

Shall be guilty of a gross misdemeanor subject to the penalty set forth in RCW 9A.02.021.

RCW 9.46.153 Applicants and licensees-Responsibilities

The following subsections apply:

(1) It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

IV.

CONCLUSIONS OF LAW

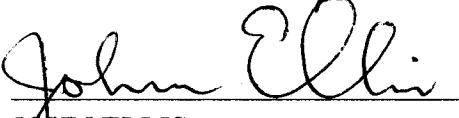
The circumstances specified in the Findings of Facts in section III above constitute grounds for the revocation of Maureen Pangelinan's license to conduct gambling activities under the authority of RCW 9.46.075 and WAC 230-03-085.

DECISION AND ORDER

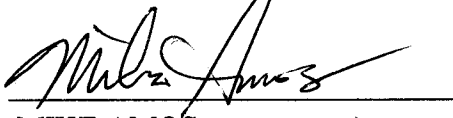
The Washington State Gambling Commission HEREBY ORDERS: Maureen Pangelinan's license to conduct card room employee activities is revoked.

DATED this 9 day of April, 2009.


PEGGY ANN BIERBAUM, Chair


JOHN ELLIS

KEVEN ROJECKI, Vice Chair


MIKE AMOS

NOTICE: RCW 34.05.440(3) provides that within seven (7) days after service of a default order the party against whom it was entered may file a written motion requesting that the order be vacated and stating the grounds relied upon.

Motions must be mailed to:

Washington State Gambling Commission
Communications & Legal Division
PO Box 42400
Olympia, Washington 98504-2400

Or delivered in person or via private courier:

Washington State Gambling Commission
Communications and Legal Division
4565 7th Avenue SE
Lacey, Washington 98503